

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ELIZABETH MOELLER, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

ADVANCE MAGAZINE PUBLISHERS, INC. d/b/a
CONDÉ NAST,

Defendant.

Civil Action No. 15-cv-05671-NRB

**NOTICE OF MOTION FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that upon: (1) the accompanying Memorandum of Law, and (2) the Declaration of Joseph I. Marchese, and the exhibits attached thereto (including the Parties' Class Action Settlement Agreement), Plaintiff Elizabeth Moeller, through her undersigned attorneys, will move this Court, before the Honorable Naomi Reice Buchwald, United States District Court Judge, Southern District of New York, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, for an Order, pursuant to Federal Rule of Civil Procedure 23(e): (i) granting preliminary approval of the Class Action Settlement; (ii) provisionally certifying the Settlement Class under Federal Rule of Civil Procedure 23(b)(3) in connection with the settlement process; (iii) appointing Burson & Fisher, P.A. as Class Counsel; (iv) appointing Elizabeth Moeller as the Class Representative for the Settlement Class; (v) approving the Notice Plan for the Class Action Settlement described in the Class Action Settlement Agreement and its Exhibits, as well as the specific Notice of Class Action and Proposed Settlement (the "Proposed Notice"), attached as Exhibits B-D to the

Settlement Agreement, and directing distribution of the Proposed Notice; and (vi) granting such other, further, or different relief as the court deems just and proper.

* * *

A Proposed Preliminary Approval Order is submitted herewith.

Dated: August 21, 2018

Respectfully submitted,

By: /s/ Joseph I. Marchese
Joseph I. Marchese

BURSOR & FISHER, P.A.

Scott A. Bursor
Joseph I. Marchese
Philip L. Fraietta
888 Seventh Avenue
New York, NY 10019
Telephone: (646) 837-7150
Facsimile: (212) 989-9163
Email: scott@bursor.com
jmarchese@bursor.com
pfraietta@bursor.com

Proposed Class Counsel